

**STEPHENS CITY TOWN COUNCIL WORK SESSION**  
**TUESDAY, JANUARY 8, 2008**  
**6:30 p.m.**

Mayor Ray Ewing called the work session to order at 6:30 p.m.

Council members present: Bowers, Fravel, Grim, Harter, Hollis  
Members absent: Shull

Staff present: Mike Kehoe, Town Manager; Brian Henshaw, Town Planner; Dianne MacMillan, Town Clerk; David Griffin, Town Attorney.

Mayor Ewing stated that the work session was called in order that Mr. Griffin, Town Attorney, could address the members regarding legal issues.

Mr. Griffin reviewed several topics with Council including the role of the Town Attorney, the Dillon Rule, fiscal law, budgeting vs. appropriations and the Virginia Freedom of Information Act. He also distributed an updated copy of the legal issues notebook insert to each Council Member, the Mayor, Town Manager and Town Clerk. Mr. Griffin answered questions from the members and staff on each issue.

Mayor Ewing adjourned the work session at 7:25 p.m.

**REGULAR MONTHLY MEETING OF THE STEPHENS CITY TOWN COUNCIL**  
**TUESDAY, JANUARY 8, 2008**  
**7:30 p.m.**

Mayor Ray Ewing called the meeting to order at 7:30 p.m. and led the Pledge of Allegiance.

Council member Hollis gave the invocation.

Roll call showed the following present:

Council member Ron Bowers, Council member Linden A Fravel, Jr., Council member Mike Grim, Council member James Harter, and Council member Joseph W. Hollis..  
Vice Mayor Joy Shull absent.

Staff present: Mike Kehoe, Town Administrator; Brian Henshaw, Town Planner; Dianne MacMillan, Town Clerk; David Griffin, Town Attorney; Charles Bockey, Jr., Chief of Police.

Guests present: Sheri Wood, Virginia.gov; Cindy White, Virginia.gov, Evan Wyatt, Greenway Engineering.

Press Present: Jessica Burchard, Winchester Star

### **ACTION AGENDA**

Council member Grim moved to adopt the Agenda as presented and the motion carried.

### **PUBLIC COMMENTS**

There were no public comments.

### **MINUTES – December 4 2007.**

Mayor Ewing noted one correction on the minutes and asked for further additions or corrections. Council member Harter moved to approved the minutes of December 4, 2007 as corrected and the motion carried by the following vote:

Council member Bowers	-	Aye
Council member Fravel	-	Aye
Council member Grim	-	Aye
Council member Harter	-	Aye
Council member Hollis	-	Aye
Vice Mayor Shull	-	Absent

### **TREASURER’S REPORT**

The Mayor asked for questions or comments on the Treasurer’s report and there were none. The Treasurer’s report was accepted as presented.

### **POLICE REPORT**

Mayor Ewing said the police report had been distributed and asked for any questions or comments. There being no comment, the police report was accepted as presented.

### **ACTION AGENDA**

#### **A. Town Website Presentation – Sheri Wood and Cindy White – Virginia .gov**

Brian Henshaw, Town Planner, announced that the Town’s new website was up and running and this meeting would mark its official launch. Sheri Wood, the project manager from Virginia Interactive, said they began work on the website in July of last year with the aim of having a progressive website incorporating the history of the town. She said they also planned to keep the Town’s wagon theme incorporated into the new logo. She showed the members each page, explained the capabilities of the site and the various links to be available. She said that soon citizens would be able to pay bills on line, download forms and be able to get up to date information. Mr. Henshaw said that GIS mapping will soon be available through the website in cooperation with the County’s GIS. Council member Fravel asked if a historic district overlay would be available and Mr. Henshaw said that was in the works along with the zoning map. Council member Fravel suggested including the walking tour brochure. Council member Hollis said he liked the site, the navigation seemed very easy and they did a great job.

B. Resolution to Reduce Speed Limit on Rte 11 South to 35 mph

Mr. Kehoe said speed limit reduction was suggested by the Public Safety Committee after a request from Southern States. He said the resolution requested a lower speed limit out to the Stephens City drive-in theater, farther than suggested by Southern States for safety reasons. Council member Grim asked if there had been an impact study of the result of lowering the limit that far out. Mayor Ewing said Mr. Evan Wyatt of Greenway Engineering working with Southern States on this project, would address this question. Mr. Wyatt explained the current proposed expansion project for Southern States including site distances required by VDOT. He said this location would become their primary location for the area.

The Mayor asked if there were any questions. Councilman Fravel said it seemed odd to request the speed limit now but it would come to 35 mph at some point and he had no problems with it.

Council member Bowers moved that the Council of the Town of Stephens City adopt a resolution requesting a speed limit reduction (copy attached) and forward a copy to VDOT. The motion carried with the following recorded vote:

Council member Bowers	-	Aye
Council member Fravel	-	Aye
Council member Grim	-	Aye
Council member Harter	-	Aye
Council member Hollis	-	Aye
Vice Mayor Shull	-	Absent

C. Acceptance of Final Audit 2005-2006 – Finance Committee

Council member Hollis, Chair of the Finance Committee, noted that everyone had received the June 30, 2006 audit report from Mr. Donald Price and the Finance Committee met with Mr. Price to reviewed the report. He moved that the Council accept the audit report as presented. The motion was passed with the following recorded vote:

Council member Bowers	-	Aye
Council member Fravel	-	Aye
Council member Grim	-	Aye
Council member Harter	-	Aye
Council member Hollis	-	Aye
Vice Mayor Shull	-	Absent

D. Recommendation of Amendment to Chapter 1 – Fees for Returned Checks- Finance Comm.

Mayor Ewing said the Finance Committee recommended the amendment to increase the fee for a bad check. Council member Hollis reported that the current fee was ten dollars and the Committee proposed to increase it to \$25.00.

Council member Hollis moved that a proposed amendment to Chapter 1 to increase the returned check charge to \$25.00 be considered by Council for the next meeting. Mr. Kehoe noted that this would require a public hearing. The motion passed by the following recorded vote:

Council member Bowers	-	Aye
Council member Fravel	-	Aye
Council member Grim	-	Aye
Council member Harter	-	Aye
Council member Hollis	-	Aye
Vice Mayor Shull	-	Absent

Mayor Ewing said that the public hearing would be advertised for the February meeting.

E. Personnel Issue – Carryover hours for Bockey and Kehoe

Mayor Ewing said the next item was a carryover of some unused annual leave. He said the Personnel Policy stated that with the approval of Mayor and Council a carryover could be approved. He said Chief Bockey had two hours and Mr. Kehoe had seven days. Mayor Ewing proposed that the leave balance be extended in those amounts. Mr. Kehoe asked that personnel committee consider changing his vacation hours to sick leave.

Council man Bowers moved that the Council approve the leave balance of Charles Bockey, Police Chief (2hrs) and Mike Kehoe, Town Manager (7days) be carried over to 2008.

Council member Bowers	-	Aye
Council member Fravel	-	Aye
Council member Grim	-	Aye
Council member Harter	-	Aye
Council member Hollis	-	Aye
Vice Mayor Shull	-	Absent

F. Procurement Policy Revision

Mayor Ewing said that the proposal was originally made in 2006 to revise the Procurement Policy with regard to procurement of professional services. He said the minutes did not reflect the action appropriately and it was now back up for adoption. He added that the town attorney did provide this change.

Council member Bowers moved that the Council revise the town's Purchasing Policies in regard to procurement of professional services (copy attached). The motion was passed with the following recorded vote:

Council member Bowers	-	Aye
Council member Fravel	-	Aye
Council member Grim	-	Aye

Council member Harter	-	Aye
Council member Hollis	-	Aye
Vice Mayor Shull	-	Absent

G. Consider Appointment of Consulting Engineer – Tim Stowe

Mayor Ewing said this action would put Tim Stowe into a different relationship and would correct a variance with the procurement policy. He said Mr. Stowe he was contracted to perform engineering instead of being appointed as town engineer, which would have exempted him from the procurement policy requirement. He noted that this would not change anything in relation to the amount budgeted for that service or any scope of that work. He said Mr. Stowe would be acting as an official of the town. Mr. Kehoe noted that if Mr. Stowe was appointed the Town Engineer he could be entitled to benefits. Council member Hollis suggested that it be referred to Personnel Committee to establish titles because there was a big difference between town engineer and consulting engineer. Mayor Ewing said the question would be referred to the Personnel Committee and brought back to Council next month. He also noted that Mr. Stowe would continue to serve the town as currently set by the contract.

**COMMITTEE REPORTS**

Mayor Ewing stated that the committee reports had been distributed in the agenda packet and all action proposed by the committees had been addressed.

**PLANNER’S REPORT – Brian Henshaw**

Mr. Henshaw said the Planner’s report was provided and he would answer any questions from the members.

Mr. Henshaw said that in conjunction with the 250<sup>th</sup> anniversary he would suggest a banner project similar to ones seen throughout the Commonwealth. He said it would provide a way to increase community involvement, community pride and incorporate economic development. He said “Project Stephens City” could consist of several projects over the years. He suggested getting ready to launch the banner program by actively recruiting businesses and organizations to sponsor a banner to go up on the existing light poles as a beautification project and a welcome to Stephens City project. He said the project could continue to raise funds to go back into the community, specifically for capital improvements along the main street corridor. He further noted that the only cost initially to the town would be for art work for banners and he would come back to Council with any additional costs. He said pledges would be solicited before any banners are ordered. The Mayor asked if Allegheny Power had been contacted about using their poles. Mr. Henshaw said he did contact them and there was no problem with using the poles as this is done other jurisdictions. Council member Hollis stated that he had seen Middletown’s banners and agreed that it was a nice beautification process.

## **TOWN ADMINISTRATOR'S REPORT – Mike Kehoe**

Mr. Kehoe said that the year 2007 was a very productive one for the town. He said that the following projects were either completed or got off the ground in 2007.

1. Curbside recycling began in January 2007.
2. The Town's corporate boundaries expended when 200 acres of the Phase II annexation area was approved in April.
3. The long delayed Massie Street sewer line extension project began and was completed. As part of that project an old 2 inch water line that served Massie Street was replaced. The Red Wood Motel was able to connect to the sewer line in September after the Health Department cited the motel with violations.
4. The West Fairfax St. water line was tied from Crooked Lane to the Squirrel Lane water line thus allowing a second feed of water from the James Diehl Water Plant.
5. The GIS mapping of the Town's water/sewer and storm sewer systems was completed by Anderson and Associates.
6. The Town's new website has now been activated.
7. The Town has actively participated in regional transportation issues and planning.
8. Close out of the old town lagoon was approved by DEQ.

Mr. Kehoe noted that the ongoing activities for the town were as follows:

1. Water model of the town's current water system to project future needs and infrastructure.
2. T-21 projects for Mulberry Street and old school renovation.
3. Crooked Lane and Rowe Lane water/sewer project.
4. Completion of the concession building at Newtown Commons
5. Study for the expansion of the Town Office
6. Beginning the budget process and capital improvements plan updates once again.

## **COUNCIL COMMENTS/CALENDAR**

Mayor Ewing said a meeting of the Administrative Committee would be set to consider the "sinkhole" ordinance. A Finance Committee meeting was set for January 30<sup>th</sup> at 5:00 p.m. Mr. Kehoe noted that Frederick County planned to attend the Public Works Committee meeting on the 17<sup>th</sup>.

## **ADJOURN**

There being no further business, Councilman Grim moved to adjourn and the motion carried. The meeting adjourned at 8:30 p.m.

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Ray E. Ewing, Mayor Ray Ewing

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Dianne L. MacMillan, CMC, Town Clerk